IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 24TH APRIL 2007 / 4TH VAISAKHA 1929

WP(C).No. 13416 of 2007(V)

PETITIONER:

NADEERA SULAIMAN, W/O.SULAIMAN,
CHELLIPPODATH HOUSE, BRAHMAPURAM P.O.,
AMBALAMUGHAL, ERNAKULAM.

BY ADV. SRI.S.MOHAMMED AL RAFI

RESPONDENTS:
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1. SUB INSPECTOR OF POLICE, KODUNGALLUR.

2. E.S.ABDUL NAZAR,
S/O.E.K.SAIDU MOHAMMED,
EDAVANAKKATT HOUSE, METHALA,
KODUNGALLUR.

3. E.S.ABDUL GAFOOR,
S/O.E.K.SAIDU MOHAMMED,
EDAVANAKKATT HOUSE, METHALA,
KODUNGALLUR.

4. FEDERAL BANK LTD.,
REP.BY AUTHORISED OFFICER,
DEPUTY GENERAL MANAGER,
KODUNGALLUR.

BY ADV. SRI.GEORGE VARGHESE (MANACHIRACKEL)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 24/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX:

PETITIONER'S EXTS:

EXT.P1: TRUE COPY OF THE SALE CERTIFICATE DATED 29-3-2007 IN FAVOUR OF THE PETITIONER.

EXT.P2: TRUE COPY OF REPRESENTATION DATED 11-4-2007 BEFORE THE 1ST RESPONDENT.

TRUE COPY

P.S.TO JUDGE

ks.

K.R. UDAYABHANU & S. SIRI JAGAN, JJ.

W.P.(C).NO.13416 OF 2007

DATED THIS THE 24TH DAY OF APRIL 2007

JUDGMENT

Siri Jagan,J.

The petitioner is the purchaser of a property which was sold in auction pursuant to proceedings under the Securitisation and Reconstruciton of Financial Assets and Enforcement of Security Interest Act, 2002. The sale has become final. Appeal filed by the 2nd respondent before the Debt Recovery Tribunal has been dismissed. As such, respondents 2 and 4, as on today have no right to challenge the right of the petitioner for possessing and enjoying the property which has been sold to them in accordance with the procedure prescribed under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. That being so, the petitioner is entitled to the relief prayed for in the writ petition.

Accordingly, we direct the first respondent to render adequate, effective and necessary police protection of the life of

the petitioner and her workers and the property which she has purchased for its peaceful enjoyment and possession against any obstruction from respondents 2 and 3 or anybody claiming them or representing them.

The writ petition is disposed of as above.

Sd/-

K.R.UDAYABHANU, JUDGE

Sd/-

S. SIRI JAGAN, JUDGE

ks.